

Article - Public Safety

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§4–1104. IN EFFECT

// EFFECTIVE UNTIL JUNE 30, 2028 PER CHAPTER 364 OF 2021 //

(a) A pretrial services program established, improved, or for which a pretrial risk scoring instrument validation is conducted using a grant distributed in accordance with § 4–1103 of this subtitle shall:

(1) use a validated, evidence-based, race-neutral risk scoring instrument that is consistent with the Maryland Rules to make recommendations to a judicial officer to determine whether a defendant:

(i) is eligible for release:

1. on personal recognizance; or

2. with appropriate pretrial supervision; or

(ii) should be held without bail;

(2) apply best practices shown to be effective in other jurisdictions;
and

(3) incorporate multiple levels of supervision based on defendant risk scores with features that include:

(i) cellular telephone reminders of a defendant's hearing date;

(ii) drug and alcohol testing;

(iii) global positioning satellite monitoring, if applicable; and

(iv) substance abuse, mental health, or mediation referrals, if approved by the judicial officer and available in the eligible county.

(b) A pretrial services program that receives a grant under this subtitle may not charge a fee to any defendant for participation in the program.

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